

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Carl M. Retzlaff and/or Ronale Case
and those Residents similarly
situated, et al.,

Complainants,

vs.

Regal Mobile Estates, et al.,

Defendants.

Case 04-03-002
(Filed March 4, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING
DIRECTING EXCHANGE OF REFUND INFORMATION**

Earl M. Retzlaff, Ronale Case and eight other residents of Regal Mobile Estates, a mobilehome park in Costa Mesa, California, complain that the owners of the park have not correctly calculated refunds due tenants pursuant to a Commission order authorizing a rate reduction by Southern California Edison Company (SCE).

In an answer filed on April 14, 2004, Regal Mobile Estates and its principals deny the material allegations of the complaint and state that complainants were given all the refunds due them.

This action is brought pursuant to Pub. Util. Code § 739.5, which gives jurisdiction to this Commission to require that gas and electric rates charged by a master-meter owner to mobilehome park residents are at the same rate that

would be applicable if the users received gas or electric service directly from the utilities.

Complainant Retzlaff in his complaint alleges that he received a refund of \$9.83 instead of the \$29.05 he claims was due. Based on a method of calculation supplied by SCE, he alleges that the refunds made to other tenants were similarly flawed and that tenants received amounts that were either less or slightly more than they were due.

This ruling directs the following actions by the parties:

1. Regal Mobile Estates within 45 days of the date of this ruling shall provide a written statement showing the date and amount of SCE refund or credit made to each of the 10 residents in this complaint and an explanation of how the amount was calculated for each of these residents. The written statement shall be submitted to the Administrative Law Judge (ALJ), with a copy submitted to Complainants Retzlaff and Case.

2. Complainants Retzlaff and Case within 30 days of their receipt of the written statement by Regal Mobile Estates shall provide a written statement setting forth their concurrence with or objections to the amounts and calculations provided by the park. Complainants' statement shall be submitted to the ALJ, with a copy submitted to Regal Mobile Estates.

3. Within 10 days of receipt of the written statement of Complainants Retzlaff and Case, Regal Mobile Estates shall meet with Complainants to determine whether the parties can settle their dispute without the need for formal evidentiary hearings. The parties shall notify the ALJ in writing thereafter to advise whether the matter has been settled, whether the complaint can be withdrawn, or whether a formal hearing should be conducted. If a formal

hearing is necessary, it will be scheduled in the Commission's hearing room in Los Angeles.

IT IS RULED that parties shall exchange written information as directed in this ruling and shall meet to discuss settlement of this complaint.

Dated April 26, 2004, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Directing Exchange of Refund Information on all parties of record in this proceeding or their attorneys of record.

Dated April 26, 2004, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.